



STATE WATER BOARD
BOARD MEETING/HEARING
Tuesday, October 20, 2009 – 9:00 a.m.
Coastal Hearing Room – Second Floor
Joe Serna Jr./Cal/EPA Building
1001 I Street, Sacramento

***** PLEASE NOTE 9:00 A.M. START TIME FOR BOARD MEETING *****

DECLARATION OF A QUORUM

Charlie Hoppin, Chair; Frances Spivy-Weber, Vice Chair; Arthur G. Baggett, Jr., Member; Tam M. Doduc, Member; Walter G. Pettit; Member

BOARD MEETING

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the State Water Board's jurisdiction provided the matter is not on the agenda, or pending before the State Water Resources Control Board or any California Regional Water Quality Control Board.

BOARD BUSINESS

1. The Board will consider adoption of the September 15, & October 6, 2009 Board Meeting minutes.
2. Board Member Report.

UNCONTESTED ITEM (Item 3*)

- *3. Consideration of a Resolution clarifying the prohibition on future senior debt in the Policy for Implementing the [Clean Water State Revolving Fund \(CWSRF\) for Construction of Wastewater Treatment Facilities \(Policy\)](#). (Christopher Stevens/Anne Hartridge)

DIVISION OF WATER QUALITY

4. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) to establish a Total Maximum Daily Load (TMDL) and Implementation Plan for [polychlorinated biphenyls \(PCBs\) in the San Francisco Bay](#). (Written comments were due on June 4, 2009 by 12 noon.) (Peter Martin/Steven Blum)
5. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to adopt conditional Site Specific Objectives for chloride and revise the [Upper Santa Clara River chloride Total Maximum Daily Load \(TMDL\)](#). (Written comments were due on September 3, 2009 by 12 noon.) (Nick Martorano/Steven Blum)

DIVISION OF WATER RIGHTS

6. Consideration of a proposed decision to conditionally approve two water right applications for [San Bernardino Valley Municipal Water District and Western Municipal Water District](#) to divert and use water from the Santa Ana River, and from Bear Creek, Breakneck Creek, Keller Creek and Alder Creek, tributaries to the Santa Ana River, in San Bernardino County. (*Written comments were due on September 30, 2009 by 12 noon.*) (Jane Farwell/Nathan Jacobsen)
7. Consideration of a proposed cease and desist order requiring [California American Water Company](#) to cease its unauthorized diversion and use of water from the Carmel River in Monterey County. (*Written comment letters were due on September 30, 2009 by 12 noon.*) (Paul Murphey/Larry Lindsay/Buck Taylor/Andy Sawyer)

INFORMATIONAL ITEM

8. Executive Director's Report.

BOARD HEARING

The State Water Board may take final action at the conclusion of this hearing or may defer final action to a subsequent, publicly noticed board meeting

9. Consideration of adoption of the proposed statewide [Water Quality Enforcement Policy](#). (*Written comments were due on September 21, 2009 by 12 noon.*) (Anne Marie Ore/Ted Cobb)

CLOSED SESSION

Closed Sessions are not open to the Public

DIVISION OF WATER RIGHTS

- The Board will meet in closed session to deliberate on a proposed order following a hearing concerning San Bernardino Valley Municipal Water District and Western Municipal Water District (Muni/Western) water right Applications 31165 and 31370 for diversion from the Santa Ana River in San Bernardino County. This closed session is authorized under Government Code section 11126, subdivision (e).
- The Board will meet in closed session to deliberate on a proposed order pertaining to the California American Water Company. A proposed cease and desist order, issued to California American Water on January 15, 2008, was the subject of a seven-day evidentiary hearing that ended August 8, 2008. The Board held a public workshop to receive comments on the draft CDO on September 2, 2009. This closed session is authorized under Government Code section 11126, subdivision (e).

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m., October 13, 2009, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m., October 15, 2009, and will not be accepted after that time.

Submittals are to be sent via e-mail to the Clerk to the Board at commentletters@waterboards.ca.gov. Please indicate in the subject line, "**10/20/09 BOARD MEETING (fill in bolded subject from appropriate item).**" If you have questions about the agenda, contact the Clerk to the Board at (916) 341-5600.

Agenda and items will be available electronically at: http://www.waterboards.ca.gov/board_info/calendar/index.shtml

* Items on the uncontested items calendar may be removed at the request of any Board member or person. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input by interested persons.

Video broadcast of meetings will be available at: <http://www.calepa.ca.gov/Broadcast/>.

For a map to our building, visit: <http://www.calepa.ca.gov/EPABldg/location.htm>. For security purposes, all visitors are required to sign in and receive a badge prior to entering the building. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process. Individuals who require special accommodations are requested to contact the Office of Employee Assistance, at (916) 341-5881.